

LEWIS
ANDROCA
LLP

L A W Y E R S

E-Filed on 10/23/07

3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89169-5996
Facsimile (702) 949-8321
Telephone (702) 949-8320

40 North Central Avenue, Suite 1900
Phoenix, Arizona 85004-4429
Facsimile (602) 734-3824
Telephone (602) 262-5756

Susan M. Freeman AZ State Bar No. 004199
Email: sfreeman@lrlaw.com
Rob Charles NV State Bar No. 006593
Email: rcharles@lrlaw.com

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS,
LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

USA SECURITIES, LLC,

Debtors.

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**STIPULATION RE WITHDRAWAL
OF PROOF OF CLAIM NO. 10725-
02492 FILED BY MARY H. CROSS
TRUST DTD 12/29/88**

Affects:

- ☐ All Debtors
☒ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

The USACM Liquidating Trust (the "USACM Trust"), by and through its undersigned counsel, and Mary H. Cross Trust DTD 12/29/88 ("Claimant"), stipulate:

1. Claimant filed a Proof of Claim ("Claim") No. 10725-02492 on June 4, 2007.

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2. On September 10, 2007, USACM Trust notified Claimant of discrepancies with respect to the Claim and gave Claimant the option to correct the discrepancies or withdraw the Claim.

3. Claimant notified the USACM Trust that Claimant wants to withdraw the proof of claim filed in this case.

Therefore, the parties stipulate and agree that Claimant withdraws proof of claim No. 10725-02492 filed on June 4, 2007, and no further notice shall be given to Claimant. Claimant will receive no distribution from the USACM Trust on account of the Claim, but this does not affect any payments Claimant may be entitled to receive from the current or future servicing agent on pending Direct Lender loans from current or future Borrower loan payments.

DATED: 10/23/2007

LEWIS AND ROCA LLP

By: /s/ RC (#6593)

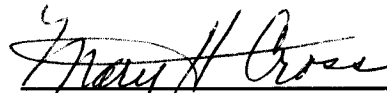
Susan M. Freeman, AZ 4199 (*pro hac vice*)

Rob Charles, NV 6593

Counsel for USACM Liquidating Trust

-and-

DATED: 9/27/07, 2007.



Mary H. Cross

Trustee for the Mary H. Cross Trust

DTD 12/29/88

1474 Wessex Circle

Reno, Nevada 89503-1542